

REMARKS

Claims 11, 12, 14-21 and 23-28 have been examined. Claims 11 and 20 have been rejected under 35 U.S.C. § 112, second paragraph. Claims 11, 12, 14-21 and 23-28 have been rejected under 35 U.S.C. § 103(a).

I. Rejection under 35 U.S.C. § 112, second paragraph

Claims 11 and 20 have been rejected under 35 U.S.C. § 112, second paragraph, for insufficient antecedent basis.

Applicant submits that the amendments to the claims, as set forth in the Appendix below, overcome the rejection.

II. Rejection under 35 U.S.C. § 103(a) over U.S.P. 5,049,898 to Arthur et al. (“Arthur”) and U.S.P. 6,312,106 to Walker (“Walker”)

Claims 11-17 and 20-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Arthur and Walker. Applicant submits that the claims are patentable over the cited references.

A. Claim 11

Claim 11 is patentable over Arthur and Walker. For example, claim 11 recites a communication unit being able to communicate with the storage elements provided on ink containers not only when the ink containers are loaded on the carriage, but also when the ink containers are not loaded on the carriage.

The Examiner correctly concedes that Arthur does not disclose such a communication unit. However, the Examiner contends that Walker discloses a method for transferring information between ink containers and a printing device through a radio system, and the

information transfer is enabled even though the ink container is not loaded on a carriage.

Applicant disagrees.

The Examiner cites Figs. 5 and 6 of Walker as disclosing the system being able to transfer information when the ink container is not loaded on a carriage. Fig. 5 illustrates that the linking device 38, which is on the replaceable printing component 14 that could be an ink container, has to have a close distance and a certain orientation to establish a link with the linking device 42 on the printing portion 12. *See also* col. 7, line 56 to col. 8, line 21.

Fig. 6 of Walker depicts the docking station 24 for docking a replaceable printing component 14 that has a linking device 38 to ensure a proper link between the linking device 38 and the linking device 42 mounted on the printing portion 12. Therefore, Walker teaches a communication system being able to establish a proper link between the linking devices 38 and 42, which are on the replaceable printing component 14 and the printing portion 12 respectively, when such replaceable printing component 14 is docked properly in the docking station 24. Contrary to the Examiner's contention, the communication system in Walker actually teaches away from a communication unit being able to communicate with storage elements provided on ink containers when said ink containers are not loaded on the carriage.

Applicant notes that the prior art references when combined must teach or suggest all the claim limitations to establish a *prima facie* case of obviousness. Manual of Patent Examining Procedure (MPEP) § 2142. Since Arthur and Walker do not teach or suggest a communication unit being able to communicate with storage elements provided on ink containers when said ink containers are not loaded on the carriage, Applicant submits that claim 11 is patentable over the references.

The Examiner further contends that it would have been obvious for one having ordinary skill in the art to modify the printing apparatus disclosed by Arthur by using the radio linking system disclosed by Walker. Applicant submits that such modification would render the Arthur reference inoperable.

In Arthur, the magnetic linking system facilitates information exchange between the magnetic read/write head 44 and the magnetic strip memories 14 on the printheads 12. As shown in Fig. 2, the magnetic read/write head 44 is mounted adjacent the path of the carriage 34. The magnetic read/write head 44 can read from and write to magnetic strip memories 14 on the printheads 12, one at a time, when the printheads 12 pass the magnetic head 44. Col. 3, lines 39-44.

Walker discloses that each linking device 38 on a replaceable printing component 14 corresponds to its own linking device 42 mounted on the printing portion 12. Col. 4, lines 45-54.

In addition, as shown in Fig. 6 of Walker, a replaceable printing component 14 with its linking device 38 is docked in the docking station 24 so that the linking device 38 is properly positioned relative to the corresponding linking device 42 on the printing portion 12. Walker discloses that the docking station 24 is used to prevent the relative movement between the linking devices 38 and 42. Walker further discloses that the close spacing and controlled orientation between the linking devices 38 and 42 are used to ensure proper information exchange between the linking devices. Col. 8, lines 25-29.

Modifying the magnetic linking system in Arthur with the radio linking system in Walker would render Arthur inoperable for the following reasons.

First, in Arthur, there are relative movements between the magnetic read/write head 44 and the magnetic strip memories 14. In contrast, the relative movements of the linking devices 38 and 42 in Walker are prevented by the docking station 24 to ensure proper information exchange between the linking devices 38 and 42. If the magnetic read/write head 44 and the magnetic strip memories 14 are replaced by linking devices 42 and 38 of Walker respectively, as suggested by the Examiner, the linking devices 38 and 42 would not be able to properly exchange information due to the relative movements between them.

Second, in Arthur, only one magnetic read/write head 44 is used to read from and write to a plurality of the magnetic strip memories 14 on the printheads 12. Whereas, in Walker, a linking device 42 mounted on the printing portion 12 can only exchange information with a single, corresponding linking device 38 on the replaceable printing component 14. If the magnetic read/write head 44 and the magnetic strip memories 14 are replaced by linking devices 42 and 38 of Walker respectively, information can only be exchanged between the linking device 42 and one of a plurality of the linking devices 38 on the replaceable printing components 14. In contrast, proper operation of Arthur requires information exchange between the magnetic head 44 and a plurality of the magnetic strip memories 14 on the printheads 12.

Applicant notes that if proposed modification would render the prior art invention inoperable, then there is no suggestion or motivation to make the proposed modification. MPEP § 2143.01. Since one of ordinary skill in the art would not have been motivated to combine the teachings of Arthur and Walker to render the Arthur reference inoperable, Applicant submits that claim 11 is patentable over the references for these additional reasons.

B. Claims 12 and 14-17

Since claims 12 and 14-17 depend upon claim 11, Applicant submits that claims 12 and 14-17 are patentable at least by virtue of their dependency.

C. Claim 13

Since claim 13 was cancelled by the Amendment on February 9, 2005, the rejection is moot.

D. Claim 20

Since claim 20 includes features similar to that discussed above for claim 11, claim 20 is patentable at least for these reasons submitted for claim 11.

E. Claims 21 and 23-26

Since claims 21 and 23-26 depend upon claim 20 and since the rejection of claim 20 is overcome, Applicant submits that claims 21 and 23-26 are patentable at least by virtue of their dependency.

F. Claim 22

Since claim 22 was cancelled by the Amendment on February 9, 2005, the rejection is moot.

III. Rejection under 35 U.S.C. § 103(a) over Arthur in view of Walker, and further in view of U.S. Application 2002/0015066 to Siwinski et al. ("Siwinski")

Claims 18-19 and 27-28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Arthur in view of Walker, and further in view of Siwinski. Since claims 18-19 and 27-28 depend upon claims 11 and 20, and since Siwinski does not cure the deficient teachings of Arthur and Walker with respect to claims 11 and 20, Applicant submits that claims 18-19 and 27-28 are patentable at least by virtue of their dependency.

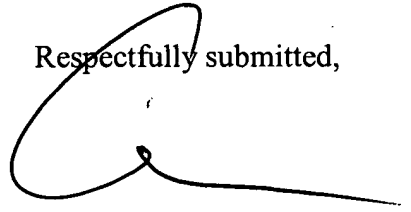
AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/070,125

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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